



WP.(MD)No.34724 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 03.12.2025

CORAM :

THE HON`BLE MR.JUSTICE B.PUGALENDHI

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R.M.Prabhakaran

... Petitioner

Vs.

1.The Joint Director,
Department of School Education (Personal),
Chennai-600 006.

2.The Chief Educational Officer,
Office of the Chief Educational Officer,
Madurai District.

3.The District Educational Officer (Elementary),
Office of the District Educational Officer (Elementary)
Madurai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, to direct the first respondent to revoke the petitioner's prolonged suspension and reinstate the petitioner in service based on the petitioner's representation dated 13.10.2025 within a time limit stipulated by this Court.



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For Petitioner : Mr.A.Sheik Nasurdeen
For Respondents : Mr.M.Sarangan,
Additional Government Pleader

ORDER

The petitioner has filed this writ petition seeking a direction to the first respondent to revoke the petitioner's prolonged suspension and reinstate the petitioner in service based on the petitioner's representation dated 13.10.2025.

2.The petitioner was working as Superintendent in the third respondent's Office. He was arrested in Cr.No.1 of 2024 on the file of the CBCID , Madurai for the offences under Sections 420, 465, 468, 471 and 120B IPC altered into Sections 409, 420, 465, 468, 471 and 120B IPC, on the allegation that he had indulged in the scam of interchanging student answer scripts of the Higher Secondary Public Examination in the year 2023. Consequent to this arrest in



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Cr.No.1 of 2023, he was placed under suspension by the first respondent by his proceedings in R.C.No.048531/A3/S2/2024 dated 29.07.2024. Even though he has been suspended on 29.07.2024, he was not issued with any charge memo till date and therefore, by referring to the judgment of the Division Bench of this Court in WA.No.240 of 2021 dated 24.01.2024, the petitioner has approached this Court by way of this writ petition.

3.The learned Additional Government Pleader appearing for the respondents submits that after conducting thorough investigation in Cr.No.1 of 2023, final report has been filed as against the petitioner in the month of July 2025 and the same has been taken on file by the learned Judicial Magistrate No.4, Madurai in C.C.No.355 of 2025. Since some of the witness, who are all cited as witnesses in the criminal case in the Departmental proceedings are one and the same, they have not proceeded with the departmental proceedings till date. According to him, one Mr.Selvaraj, Joint Director of School Education, one Mrs.Karthika,



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Chief Educational Officer, Mr.Kokila, District Educational Officer
are relevant witnesses to be examined during departmental proceedings and they are witnesses in the criminal case which is pending before the learned Judicial Magistrate No.4, Madurai in C.C.No.355 of 2025.

4.This Court has considered the submissions made on either side and perused the available records.

5.Pendency of criminal case is not a bar for the Department to proceed with the departmental proceedings. Though the petitioner was suspended on 29.07.2024, the respondents have not even issued charge memo to the petitioner. The petitioner is paid with subsistence allowance at the rate of 75%. Considering the gravity of the charge, this Court is not inclined to grant the relief as prayed for in this writ petition. However, his request can also be addressed by concluding the criminal proceedings and the departmental proceedings in an expeditious manner.



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6.This court is unable to appreciate the manner in which the Department has not issued the charge memo for more than one year and therefore, this Court directs the Department to issue the charge memo forthwith. The order of this Court shall also be placed before the Judicial Magistrate No.4, Madurai to appraise the necessity for completion of the criminal case in C.C.No.355 of 2025, within a reasonable time. The learned Judicial Magistrate No.4, Madurai is directed to examine the witnesses, viz., Mr.Selvaraj, Joint Director of School Education, one Mrs.Karthika, Chief Educational Officer, Mr.Kokila, District Educational Officer, who are proposed as witnesses to the charge memo, within a period of two months from the date of receipt of a copy of this order. The Department is expected to proceed with the department enquiry by examining those witnesses, after examination in C.C.No.355 of 2025. In any event, the departmental enquiry needs to be completed within a period of six months from the date of receipt of a copy of this order.



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WEB COPY 7. With the above directions, this writ petition is disposed of.

No costs.

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NCC : Yes/No

Index : Yes/No

Internet: Yes

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To

1. The Judicial Magistrate No.4,
Madurai.

2. The Joint Director,
Department of School Education (Personal),
Chennai-600 006.

3. The Chief Educational Officer,
Office of the Chief Educational Officer,
Madurai District.

4. The District Educational Officer (Elementary),
Office of the District Educational Officer (Elementary)
Madurai District.



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B.PUGALENDHI,J

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